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1976

# Berman, Ronald: Memoranda (1975-1984): Correspondence 09

Livingston Biddle

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✓  
To Senator

From: LB

LB  
For Wed.  
Night  
Box  
Very interested  
Jan 15  
many thanks.

This is an update on the attached material dealing with the Berman situation.

Will make this page a kind of summary and (into) update, so that you can read it first without getting the more detailed data to follow until you have time.

Joe Hagan called this morning. He says the President has signed the Berman nomination, and that it will be delivered to the Senate when it reconvenes on Monday. Berman wants very much to see you "to gain if possible your support." I said to Joe that in my view there was just no way I could see that you could give support, or any kind of modification thereof -- and he fully understands this. But Berman isn't taking his advice altogether any more, and he wants to try his best to succeed. In the pages that follow you'll see that I had worked out with Joe a procedure that would offer a possible solution to the whole problem, and which you could consider when you had a chance next week -- but this has now gone by the boards.

You'll note a summary of preliminary GAO findings attached. In summary, they are not favorable, but not overly damning either. They indicate administrative ability which I would suggest is marginally passable.

I would recommend that when you have had a chance to review this material, I let Joe know that your own concerns have in no way been changed, that there is no way you would now give to Berman support -- that you have made this clear from the start... But that you would be glad to tell him this in person, if he insists on seeing you... I suppose this is his right, and that if you refused to see him it would weaken the fair stance you have so far taken...

I would like to discuss all this with you when you have a chance -- but thought you would want to be filled in.